

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF WEST VIRGINIA**

In re:

BLACKJEWEL, L.L.C., *et al.*

Debtors

**DAVID ENGELBRECHT, JOSIAH
WILLIAMSON, GREGORY MEFFORD on behalf
of themselves and all others similarly situated,**

Plaintiffs,

v.

BLACKJEWEL, L.L.C.,

Defendants.

Chapter 11

Case No. 19-bk-30289

(Jointly Administered)

**Adversary Proceeding
No. 3:19-ap-03002**

In re:

BLACKJEWEL, L.L.C., *et al.*

Debtors

**SHAWN ABNER, JACOB HELTON, AND BILLY
HATTON on behalf of themselves and all others
similarly situated,**

Plaintiffs,

v.

**BLACKJEWEL, L.L.C., REVELATION
ENERGY, LLC, LEXINGTON COAL CO., LLC,
JEFF HOOPS, SR., JEFFERS A. HOOPS, II,**

Defendants.

Chapter 11

Case No. 19-bk-30289

(Jointly Administered)

**Adversary Proceeding
No. 3:19-ap-03003**

**NOTICE OF EXHIBITS AND WITNESSES TO BE
OFFERED BY THE DEBTORS AT THE MARCH 3, 2021 HEARING**

Pursuant to the Court's Order Establishing Certain Notice and Case Management Procedures [Docket No. 2217], as modified in part by the *Amended Order Establishing Certain Notice and Case Management Procedures* [Docket No. 2419] (collectively, the "Case Management Order"), the above-captioned debtors and debtors in possession (collectively, the "Debtors") submit this Witness and Exhibit List for the hearing to be held on March 3, 2021, at 9:30 a.m. (Eastern Standard Time) (the "Hearing").

WITNESSES

The Debtors may, if necessary, call the following witnesses at the Hearing, who each are designated as a Remote Witness pursuant to the Case Management Order:

1. Rebuttal witnesses as necessary; and
2. Any witness designated by any other party.

EXHIBITS

The Debtors may, if necessary, seek to introduce some or all of the following exhibits at the Hearing. Copies of the exhibits have been filed and served in accordance with Paragraph 27 of the Case Management Order.

EXHIBIT	DESCRIPTION	MARK	OFFER	OBJECT	ADMIT	W/D	DISPOSITION AFTER HEARING
1.	<i>Joint Motion and Memorandum of Law in Support of Defendants and Proposed Class Representatives, Pursuant to Section 105 of the Bankruptcy Code and Bankruptcy Rules 7023 and 9019 to: (I) Approve the Settlement Agreement</i>						

EXHIBIT	DESCRIPTION	MARK	OFFER	OBJECT	ADMIT	W/D	DISPOSITION AFTER HEARING
	<i>Pursuant to Bankruptcy Rule 9019, (II) Preliminarily Approve the Settlement Agreement Pursuant to Bankruptcy Rule 7023, (III) Certify the Class for Settlement Purposes, Including the Appointment of Class Counsel and the Class Representatives, (IV) Approve the Form and Manner of Notice to Class Members of the Settlement, (V) Schedule a Fairness Hearing to Consider final Approval of the Settlement Agreement, (VI) Finally Approve the Settlement Agreement following the Fairness Hearing, and (VII) Grant Related Relief [Adv. Proc. 19-3002; Docket No. 61]</i>						
2.	<i>Joint Motion Pursuant to 11 U.S.C. §§ 105 and 107 and Fed. R. Bankr. P. 9018 for an Order Authorizing the Parties to File Under Seal Schedule 1 and Exhibit C to the Settlement Agreement [Adv. Proc. 19-3002; Docket No. 63]</i>						
3.	<i>Amended Joint Motion and Memorandum of Law in Support of Defendants and Proposed Class Representatives, Pursuant to Section 105 of the Bankruptcy Code and Bankruptcy Rules 7023 and 9019 to: (I) Approve the Settlement Agreement Pursuant to Bankruptcy Rule 9019, (II) Preliminarily Approve the Settlement Agreement Pursuant to</i>						

EXHIBIT	DESCRIPTION	MARK	OFFER	OBJECT	ADMIT	W/D	DISPOSITION AFTER HEARING
	<i>Bankruptcy Rule 7023, (III) Certify the Class for Settlement Purposes, Including the Appointment of Class Counsel and the Class Representatives, (IV) Approve the Form and Manner of Notice to Class Members of the Settlement, (V) Schedule a Fairness Hearing to Consider final Approval of the Settlement Agreement, (VI) Finally Approve the Settlement Agreement following the Fairness Hearing, and (VII) Grant Related Relief [Adv. Proc. 19-3002; Docket No. 85]</i>						
4.	<i>Amended Joint Motion Pursuant to 11 U.S.C. §§ 105 and 107 and Fed. R. Bankr. P. 9018 for an Order Authorizing the Parties to File Under Seal Schedule I and Exhibit C to the Settlement Agreement [Adv. Proc. 19-3002; Docket No. 86]</i>						
5.	<i>Joint Motion and Memorandum of Law in Support of Defendants and Proposed Class Representatives, Pursuant to Section 105 of the Bankruptcy Code and Bankruptcy Rules 7023 and 9019 to: (I) Approve the Settlement Agreement Pursuant to Bankruptcy Rule 9019, (II) Preliminarily Approve the Settlement Agreement Pursuant to Bankruptcy Rule 7023, (III) Certify the Class for Settlement Purposes, Including the Appointment of Class Counsel and the Class Representatives,</i>						

EXHIBIT	DESCRIPTION	MARK	OFFER	OBJECT	ADMIT	W/D	DISPOSITION AFTER HEARING
	<i>(IV) Approve the Form and Manner of Notice to Class Members of the Settlement, (V) Schedule a Fairness Hearing to Consider final Approval of the Settlement Agreement, (VI) Finally Approve the Settlement Agreement following the Fairness Hearing, and (VII) Grant Related Relief [Adv. Proc. 19-3003; Docket No. 56]</i>						
6.	<i>Joint Motion Pursuant to 11 U.S.C. §§ 105 and 107 and Fed. R. Bankr. P. 9018 for an Order Authorizing the Parties to File Under Seal Schedule 1 and Exhibit C to the Settlement Agreement [Adv. Proc. 19-3003; Docket No. 58]</i>						
7.	<i>Amended Joint Motion and Memorandum of Law in Support of Defendants and Proposed Class Representatives, Pursuant to Section 105 of the Bankruptcy Code and Bankruptcy Rules 7023 and 9019 to: (I) Approve the Settlement Agreement Pursuant to Bankruptcy Rule 9019, (II) Preliminarily Approve the Settlement Agreement Pursuant to Bankruptcy Rule 7023, (III) Certify the Class for Settlement Purposes, Including the Appointment of Class Counsel and the Class Representatives, (IV) Approve the Form and Manner of Notice to Class Members of the Settlement, (V) Schedule a Fairness Hearing to Consider final Approval of the Settlement</i>						

EXHIBIT	DESCRIPTION	MARK	OFFER	OBJECT	ADMIT	W/D	DISPOSITION AFTER HEARING
	<i>Agreement, (VI) Finally Approve the Settlement Agreement following the Fairness Hearing, and (VII) Grant Related Relief</i> [Adv. Proc. 19-3003; Docket No. 79]						
8.	<i>Amended Joint Motion Pursuant to 11 U.S.C. §§ 105 and 107 and Fed. R. Bankr. P. 9018 for an Order Authorizing the Parties to File Under Seal Schedule I and Exhibit C to the Settlement Agreement</i> [Adv. Proc. 19-3003; Docket No. 80]						
9.	<i>Secretary of Labor's Objection to Joint Motion for Preliminary Approval of Class Settlement and Related Relief</i> [Case No. 19-30289, Docket No. 2417]						
10.	<i>Order Pursuant to Section 105 of the Bankruptcy Code and Bankruptcy Rules 7023 and 9019 (I) Preliminarily Approving the Settlement, (II) Certifying a Class of WARN Act Claimants for Settlement Purposes Only, (III) Appointing Class Counsel and Class Representatives, (IV) Approving the Form and Manner of Notice to Class Members of the Class Certification and Settlement, (V) Scheduling a Fairness Hearing to Consider Final Approval of the Settlement, and (VI) Granting Related Relief</i> [Adv. Proc. 19-3002; Docket No. 96]						
11.	<i>Order Pursuant to 11 U.S.C. §§ 105 and 107 Granting in Part and Denying in Part Motion to</i>						

EXHIBIT	DESCRIPTION	MARK	OFFER	OBJECT	ADMIT	W/D	DISPOSITION AFTER HEARING
	<i>File Under Seal Amended Schedule 1 and Exhibit C to the Settlement Agreement</i> [Adv. Proc. 19-3002; Docket No. 97]						
12.	<i>Declaration of Mary E. Olsen Regarding Service of the Class Notice</i> [Adv. Proc. 19-3002; Docket No. 95]						
13.	<i>Supplemental Declaration of Mary E. Olsen in Further Support of Approval of the Settlement</i> [Adv. Proc. 19-3002; Docket No. 101]						
14.	<i>Order Pursuant to Section 105 of the Bankruptcy Code and Bankruptcy Rules 7023 and 9019 (I) Preliminarily Approving the Settlement, (II) Certifying a Class of WARN Act Claimants for Settlement Purposes Only, (III) Appointing Class Counsel and Class Representatives, (IV) Approving the Form and Manner of Notice to Class Members of the Class Certification and Settlement, (V) Scheduling a Fairness Hearing to Consider Final Approval of the Settlement, and (VI) Granting Related Relief</i> [Adv. Proc. 19-3003; Docket No. 90]						
15.	<i>Order Pursuant to 11 U.S.C. §§ 105 and 107 Granting in Part and Denying in Part Motion to File Under Seal Amended Schedule 1 and Exhibit C to the Settlement Agreement</i> [Adv. Proc. 19-3003; Docket No. 91]						
16.	<i>Declaration of Mary E. Olsen Regarding Service of the Class</i>						

EXHIBIT	DESCRIPTION	MARK	OFFER	OBJECT	ADMIT	W/D	DISPOSITION AFTER HEARING
	<i>Notice</i> [Adv. Proc. 19-3003; Docket No. 89]						
17.	<i>Supplemental Declaration of Mary E. Olsen in Further Support of Approval of the Settlement</i> [Adv. Proc. 19-3003; Docket No. 95]						
18.	<i>Declaration of Samuel B. Petsonk in Further Support of Approval of the Settlement</i> [Adv. Proc. 19-3003, Docket No. 96]						

The Debtors reserve the right to use additional materials for impeachment and rebuttal, as may be permitted by the Court, as well as demonstrative exhibits in accordance with the Case Management Order.

RESERVATION OF RIGHTS

The Debtors reserve the right to seek to introduce other testimony or exhibits or to supplement these disclosures as may be permitted by the Court.

Dated: March 1, 2021

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– and –

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